

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CORY JOHNSON

Plaintiff,

vs.

**THE CITY OF UTICA, THE UTICA
POLICE DEPARTMENT, ALLEN PYLMAN
AS CHIEF OF THE CITY OF UTICA POLICE
DEPARTMENT POLICE DEPARTMENT,
OFFICER DONALD CINQUE OF THE CITY
OF UTICA POLICE DEPARTMENT, OFFICER
JOSEPH LONGO OF THE CITY OF UTICA
POLICE DEPARTMENT, OFFICER DAVID
POCCIA OF THE CITY OF UTICA POLICE
DEPARTMENT AND/OR ANY OTHER JOHN
DOES AND/OR JANE DOES TO BE NAMED
AT A LATER DATE,**

Defendants.

**PARTIAL STIPULATION
DISCONTINUING AND
DISMISSING ACTION**

**Civil Action Number:
6:08-CV-0597**

**Judge David N. Hurd
Magistrate Judge
Gustave J. DiBianco**

ORDER - Pg 2

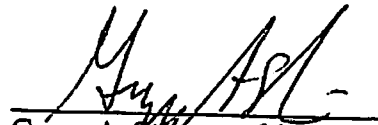
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued and dismissed as to **Officer Joseph Longo only** without costs to any party as against any other party, and

IT IS FURTHER STIPULATED AND AGREED that this Stipulation of Discontinuance and Dismissal shall be "with prejudice", and

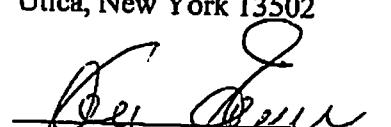
IT IS FURTHER STIPULATED AND AGREED that this Stipulation of Discontinuance and Dismissal shall be also apply to the "Estate of Joseph Longo", and

IT IS FURTHER STIPULATED AND AGREED that Officer Joseph Longo shall be stricken from the caption of this action.

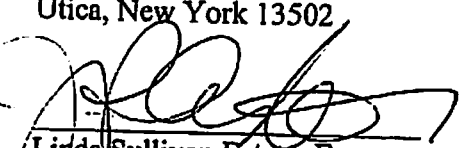
Date: 10/26/09


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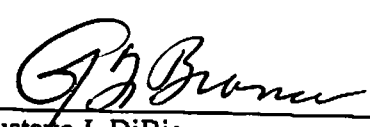
Date: 10/26/09


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Date: Oct 27, 2009


Linda Sullivan Fatata, Esq.
Corporation Counsel
By: John P. Orilio
Assistant Corporation Counsel
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So Ordered:


Gustave J. DiBianco
United States District Court

Date: 10/28/09